

HOUSE No. 1632

By Mr. Greene of Billerica, petition of William G. Greene, Jr.,
relative to HIV/AIDS testing. Public Health.

The Commonwealth of Massachusetts

In the Year Two Thousand and Five.

AN ACT RELATIVE TO HIV/AIDS TESTING.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 13D of Chapter 265, as appearing in the
2 2002 Official Edition, is hereby amended by inserting after the
3 first paragraph the following paragraph:—

4 Notwithstanding any other provisions of law, where a public
5 employee is a police officer, firefighter or other public safety
6 employee engaged in the performance of his duties and the assault
7 and battery results in an exchange of blood, saliva or other bodily
8 fluids, the defendant shall submit to a test for the presence of
9 human immunodeficiency virus (HIV) or acquired immune defi-
10 ciency syndrome (AIDS).

1 SECTION 2. Section 13I of Chapter 265, as appearing in the
2 2002 Official Edition, is hereby amended by inserting after the
3 first paragraph the following paragraph:—

4 Notwithstanding any other provisions of law, where the assault
5 and battery results in an exchange of blood, saliva or other bodily
6 fluids, the defendant shall submit to a test for the presence of
7 human immunodeficiency virus (HIV) or acquired immune defi-
8 ciency syndrome (AIDS).

1 SECTION 3. Section 70F of Chapter 111, as appearing in the
2 2002 Official Edition, is hereby amended by inserting after the
3 fourth paragraph the following paragraph:—

4 Notwithstanding any of the above, whenever a doctor, nurse,
5 hospital employee or other health care worker is engaged in
6 attending to a patient and is inadvertently injected by a hypo-
7 dermic needle used on said patient, a test for the presence of
8 human immunodeficiency virus (HIV) and acquired immune defi-
9 ciency syndrome (AIDS) shall be administered to said patient.